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February 27, 2013

VIA ECF

The Honorable Dennis M. Cavanaugh
United States District Court
M.L. King, Jr. Federal Building & Courthouse
50 Walnut Street
Newark, New Jersey 07101

In re Merck & Co., Inc. Vytarin/Zetia Securities Litigation
Civil Action No. 08-2177 (DMC) (JAD)

In re Schering-Plough Corporation/ENHANCE Securities Litigation
Civil Action No. 08-397 (DMC) (JAD)

Dear Judge Cavanaugh:

We represent Merck & Co., Inc. and Schering-Plough Corporation in the above-captioned cases. On behalf of all parties, we write to advise the Court that the parties have entered into agreements in principle to settle both the Merck and Schering-Plough securities class action lawsuits. With these settlements, all of the remaining Vytarin/ENHANCE litigation that is pending before Your Honor will have been resolved.

Accordingly, the parties respectfully request that all proceedings in the Merck and Schering-Plough cases be stayed pending submission of the settlement agreements for approval by the Court. The parties will use best efforts to draft the settlement documentation within the next 30 days, and Plaintiffs will move for preliminary approval of the settlements shortly thereafter.

Respectfully submitted,



William B. McGuire

For TOMPKINS, McGUIRE, WACHENFELD & BARRY

SO ORDERED:


DENNIS M. CAVANAUGH, U.S.D.J.

2-27-13